

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

TYRONE MERRITT, *et al.*,

Plaintiffs,

vs.

CAPITAL ONE FINANCIAL
CORPORATION, *et al.*,

Defendants.

1:19-cv-1048-AGT-IDD

NOTICE OF UNOPPOSED MOTION (DKT. 3)/WAIVER OF ORAL ARGUMENT

Defendants, Capital One Financial Corporation, Capital One, N.A., and Capital One Bank (USA), N.A. (“Capital One”), by counsel, hereby notify the Court that the **Capital One Defendants’ Motion to Stay or, in the Alternative, for an Extension of Time to Respond to the Complaint (Dkt. 3) is not opposed and the parties waive oral argument.** The matter is noticed for a hearing on August 23, 2019. The case can be removed from the docket and an order entered.

Respectfully submitted, this 21st day of August, 2019.

**CAPITAL ONE FINANCIAL CORPORATION
CAPITAL ONE, N.A.
CAPITAL ONE BANK (USA), N.A.**

/s/ Mary C. Zinsner

Mary C. Zinsner (VSB No. 31397)
TROUTMAN SANDERS LLP
401 9th Street, NW, Suite 1000
Washington, DC 20004
Telephone: (703) 734-4334
Facsimile: (703) 734-4340
mary.zinsner@troutman.com

Robert A. Angle (VSB No. 37691)
Jon S. Hubbard (VSB No. 71089)
Harrison Scott Kelly (VSB No. 80546)
TROUTMAN SANDERS LLP
1001 Haxall Point
Richmond, VA 23219
Telephone: (804) 697-1200
Facsimile: (804) 697-1339
robert.angle@troutman.com
jon.hubbard@troutman.com
scott.kelly@troutman.com

David L. Balser (*pro hac vice forthcoming*)
S. Stewart Haskins II (*pro hac vice forthcoming*)
John C. Toro (*pro hac vice forthcoming*)
KING & SPALDING LLP
1180 Peachtree Street, N.E.
Atlanta, Georgia 30309
Tel.: (404) 572-4600
Fax: (404) 572-5140
dbalser@kslaw.com
shaskins@kslaw.com
jtoro@kslaw.com

Counsel for Capital One Defendants

CERTIFICATE OF SERVICE

I hereby certify that on August 21, 2019, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will send notice of electronic filing to all counsel of record.

/s/ Mary C. Zinsner

Mary C. Zinsner (VSB No. 31397)

TROUTMAN SANDERS LLP

401 9th Street, NW

Suite 1000

Washington, DC 20004

Telephone: (703) 734-4334

Facsimile: (703) 734-4340

mary.zinsner@troutman.com

Counsel for Capital One Defendants